

**MINUTES OF THE PUBLIC HEARING HELD BEFORE THE
COMMON COUNCIL OF THE CITY OF JASPER, INDIANA
JANUARY 3, 2005
(RESCHEDULED FROM 12/22/2004)**

A public hearing was held at 6:35 p.m. on Monday January 3, 2005 in the Council Chambers of City Hall, 610 Main Street, Jasper, Indiana. Due to the inclement weather, this public hearing was cancelled on December 22, 2004 and rescheduled for the above listed date and time.

Roll Call.

Mayor William J. Schmitt	Present
Councilmembers	
John Schroeder	Present
Bradley Seger	Present
Thomas Schmidt	Present
Ambrose 'Butch' Schitter	Present
Renee Kabrick	Present
Randall Buchta	Present
Raymond Howard	Present
City Attorney Sandra Hemmerlein	Present
Clerk-Treasurer Juanita S. Boehm	Present

Clerk-Treasurer Juanita Boehm announced that in order to have a quorum for the hearing, a majority of the members of the legislative body must be in attendance. All seven members were in attendance; therefore, there was a quorum for the hearing.

The purpose of the hearing was to receive public comments concerning the petition of B & J Rentals and Daniel J. & Kimberly R. Ackerman to vacate a portion of Portersville Road, south of 36th Street. The public hearing was tabled at the November 17, 2004 meeting.

Notice appeared in the Herald on November 2, 2004. Notice was also posted at city hall.

Mayor Schmitt stated that the public hearing had previously been scheduled for November 17, 2004, but was tabled because the Reyling family, adjacent property owners, had not been notified.

Ken Brosmer, Brosmer Land Surveying, representing B & J Rentals and Daniel J. and Kimberly R. Ackerman, stated that the first certified notification letter to the Reyling family had been returned, but that the Reylings have now responded that they have received the second letter.

Mr. Brosmer requested vacation of a portion of Portersville Road located south of 36th Street and showed the plat of Man Acres subdivision and the surrounding area. He explained that Portersville Road to the north had since been relocated and because of that change, the portion of Portersville Road, south of

36th Street, would probably never be built. He said there was a sanitary sewer line in the right-of-way and that would be left as a utility easement. He pointed out that a portion of Reyling Drive would be left open.

Mayor Schmitt reported that the land for the road had been donated by the property owners, therefore, it could be returned because the road had not been built.

City Engineer Chad Hurm reported that the department managers had no objection providing the granting of the utility easement in the right-of-way was given. He said there were some concerns that the vacation would jeopardize potential development plans by the adjacent property owner. Mayor Schmitt reported that the adjacent property owner was aware of the plans and had no objections.

There were no other comments and no remonstrators present.

On **motion** made by Councilmember John Schroeder, seconded by Councilmember Randall Buchta, and unanimously agreed, the public hearing was closed at 6:45 p.m.

William J. Schmitt, Mayor
Presiding Officer

Attest:

Juanita S. Boehm, Clerk-Treasurer

Cynthia Kluemper, Recording Secretary